



The Journal of Sociology & Social Welfare

Volume 33
Issue 3 *September*

Article 4

2006

"Put Up" on Platforms: A History of Twentieth Century Adoption Policy in the United States

Michelle Kahan
University of Massachusetts, Boston

Follow this and additional works at: <https://scholarworks.wmich.edu/jssw>



Part of the Social History Commons, Social Work Commons, and the United States History Commons

Recommended Citation

Kahan, Michelle (2006) ""Put Up" on Platforms: A History of Twentieth Century Adoption Policy in the United States," *The Journal of Sociology & Social Welfare*: Vol. 33 : Iss. 3 , Article 4.
Available at: <https://scholarworks.wmich.edu/jssw/vol33/iss3/4>

This Article is brought to you for free and open access by the Social Work at ScholarWorks at WMU. For more information, please contact maira.bundza@wmich.edu.



"Put Up" on Platforms: A History of Twentieth Century Adoption Policy in the United States

MICHELLE KAHAN

McCormack School of Policy Studies
University of Massachusetts Boston

Adoption is closely intertwined with many issues that are central to public policy in this country—welfare and poverty, race and class, and gender. An analysis of the history of adoption shows how it has been shaped by the nation's mores and demographics. In order to better understand this phenomenon, and its significance to larger societal issues, this analysis reviews its history, focusing on four key periods in which this country's adoption policy was shaped: the late Nineteenth Century's 'orphan trains'; the family preservation and Mothers' Pensions of the Progressive Era; World War II through the 1950s, with secrecy and the beginnings of international adoption; and the 1970s-1990s, when reproductive controls were more obtainable, and relinquishing children became more uncommon.

Keywords: abortion, adoption, birth control, child welfare, history international adoption, Mothers' Pensions, Operation Baby-lift, open adoption, orphan train, policy, secrecy, women's rights

Adoption is closely intertwined with many issues that are central to public policy in this country—welfare and poverty, race and class, and gender. Recent studies show that adoption is so prevalent that it touches six in ten Americans (Pertman, 2000, p. 9). And yet, we often think of adoption as a private family matter, affecting a small sector of the population, primarily middle class white families. An analysis of the history of adoption shows how related policy has been shaped by the nation's belief in the primacy of biological kinship, as well as

demographic, economic, and reproductive trends. Now is an opportune time to critically examine this past as we begin to confront the impacts of welfare reform, the growing diversity in our society, and increasingly successful attempts to limit reproductive rights.

The history of adoption is weakly documented, mostly in a disconnected manner. Because adoption policy implementation has been shrouded in secrecy for most of the century, comprehensive histories of the topic are rare or incomplete at best. Since most case records had been sealed, historians have not had access to primary sources. Most researchers have focused on legal histories based on state laws and cases. Surprisingly, precise data describing fundamental adoption trends do not even exist. Since 1975, no national organization or government department has tracked this widespread social phenomenon. Data that are available include adoption by family members, estimated at one-third to one-half of adoptions at any given time, depending upon the period (Adamec and Pierce, 2000; Moe, 1998; Stolley, 1993). According to existing information, adoption began to increase considerably during the World War II era, rising from 16,000 annually in 1937, to 55,000 by 1945, and then growing tremendously over the next thirty years (to 142,000 in 1965). Peaking around 1970, at 173,000 it has since decreased in large part as a result of the sexual revolution and resulting reproductive technologies. The recent low point was at 118,000 in 1987, with 2001 estimates at 130,000.

In order to better understand this phenomenon, and its significance to larger issues of race, class, and reproductive rights, this analysis reviews its history, focusing on four key periods in which this country's adoption policy was shaped. As a whole, these times represent moments during which adoption policy patterns were set (the first three), and traditions challenged and changed (the last period):

1. The late Nineteenth Century, when the first modern adoption law was passed and the 'orphan train' movement began as a way to control children from poor families.
2. The Progressive Era, a time of child welfare reform, the rise of social work, beginnings of the family

preservation movement, early efforts to regulate adoption, and Mothers' Pensions as a means to help worthy poor women take care of their children.

3. The World War II period through the 1950s, during which the prevalence of adoption increased, as did the focus on secrecy in its implementation. American adoption of children of all races from other countries also began during this period.

4. The 1970s-1990s, which, due to increased availability of birth control and the advent of legal abortion, were marked by decreases in the numbers of available healthy white infants for adoption, as well as the emergence of the adoption rights movement advocating for open processes.

What the first part of the Twenty-first Century will bring remains to be seen; however the historical trends from these periods aid in predicting how policy in this area will be shaped in light of occurrences in the areas of class, race, and gender.

Nineteenth Century Antecedents

The legal history of modern adoption policy began in the late Nineteenth Century with passage of An Act to Provide for the Adoption of Children in Massachusetts in 1851. This groundbreaking law set several important precedents that are still in place today. First, it stated that the adoption had to be in the best interests of the child. Second, it put the judge in the position of evaluating the qualifications of potential adoptive parents; parents were required to have the "ability to furnish suitable nurture and education, appropriate to the child's nature" (Modell, 1994, p. 23). The law also required written consent of the birthparents and dissolved all legal ties between them and their biological child. Most importantly, the Massachusetts Adoption Act, as it came to be known, began the process of required court approval for adoptions, and foretold that process to be carried out in state probate, rather than federal, courts. As Carp states, the law was critical to the future of adoption policy: "Instead of defining the parent-child relationship exclusively in terms of blood kinship, it encouraged adoptive parents to build a family by assuming the

responsibility and emotional outlook of natural parents" (1998a, p. 12). Two years later, Pennsylvania passed a similar law, and over the next 25 years, 24 other states followed.

These laws were passed in the context of the large placing-out movement, which sought to care for neglected children in families rather than institutions. The movement actually began before Rev. Charles Loring Brace founded the New York Children's Aid Society in 1853. Brace, however, publicized and popularized it with his evangelical sermons. As such, in passing the Massachusetts Act and subsequent similar laws in other states, lawmakers were responding to the desire of some farmers to legalize the addition of these children to their families for inheritance purposes. In addition, they were reacting to "Brace's reckless child-placing system" (Carp, 2002, p. 7) with a desire for increased regulation to ensure that the rights of children and birthparents were protected.

Brace was an interesting character. Born in 1826, the son of a middle-class minister, he became a minister himself. Moving to New York in the early 1950s, he immersed himself in mission work, stating: "I want to raise up the outcast and homeless, to go down among those who have no friend or helper" (Ashby, 1997, p. 39). He focused on one of the poorest section of the city, Five Points, an area whose population had almost tripled in the 1850s, and decided to work to rescue children, whom he viewed as a threat to the social order. In order to serve this "happy race of little heathens and barbarians" (Ashby, 1997, p. 39), he created the Children's Aid Society. Linda Gordon describes Brace's motivation:

He was a man possessed by a messianic sense of his power to uplift the poor by molding their children into something better, higher than the slums from which they came. He saw children as polluted, the flotsam and jetsam of the urban ships, nearly ruined by their unparented, undisciplined life on the streets. Yet he believed they could be cleansed and reclaimed, and his moralism and disrespect for those whose "family values" were constrained by poverty only strengthened his commitment to child welfare. (1999, p. 9)

Believing that the best thing for these poor youth would

be to get out of the city, he began by loading a group of 66 boys and 72 girls on a train to rural Pennsylvania in March 1854. His plan was to place these children out West in "good Christian families where they would be cared for, educated, and employed" (Carp, 1998b, pp. 128-129).

There were no legal ties between these children and the farmers who took them in. The Children's Aid Society announced to the local community that a train would be arriving. When it did, the children stood on the platform waiting to be claimed. Ashby describes the scene, as told to him by a Minnesota charity worker:

The children, "weary, travel-stained, confused," stood one at a time in front of a large crowd. As an adult described each of them, potential families looked them over. "It's quite a shock," recalled one individual. "You feel like you're on display."... Children whom no one picked boarded the train for the next stop. The children sometimes performed acts. (1997, p. 49-50)

The phrase "put up" for adoption was thus coined. The children who were "put up" on platforms were recruited from orphanages, almshouses, asylums, and prisons. Workers went door to door in poor neighborhoods. Some children were brought in by their parents seeking temporary relief, and others came in on their own, wanting to go West. About half were not orphans.

Brace and his staff did not investigate the situations of these children or the receiving homes. He assumed that "farm homes and fresh air" (Pfeffer, 2002, p. 102) were better for children than crowded urban environments. He was also not concerned with the children's home situations; according to Ashby, "Brace wanted to disassemble slum families" (1997, p. 46). Notice to birthparents was not required. He knew that many of these children were not orphans, but thought it necessary to break up families in order to rescue children.

In addition to rescuing children from the city and lives of poverty, Brace was a missionary. While he maintained that his work was nondenominational, he sent most of these children, the majority of whom were Catholic and a substantial

proportion of whom were Jewish, to Protestant homes. Not only were these children mostly non-Protestant, but many were considered racially nonwhite as well, many coming from Irish, Italian, or Polish heritage. Thus, by removing them from the city, they could be converted to the ways of white Protestant families. There was also little to no documentation or follow-up of these placements.

The orphan train placements served, in effect, as a foster care system without payment to the foster families. Not only were the children available to labor on the farms where they were placed, but shipping them out to the country was far less costly than institutionalizing those who could not live at home. While Brace died in 1890, the movement continued for almost 40 more years, under his son. Other agencies also replicated his methods, in Great Britain and Australia as well as the U.S. Estimates of the total number of children placed (in this country) vary widely, from 150,000 to 250,000.

The Progressive Era

Many of the child-welfare reforms instituted during the early 1900s can be traced to Brace's orphan trains. The outcry against his unorthodox practices led advocates to the other extreme: families were to be preserved at all costs; breaking up families became "practically taboo" (Carp, 1999b, p. 140). In the area of adoption, the progressives' moralism translated to a preference for blood ties.

The Era began with an unprecedented national gathering: the 1909 White House Conference on the Care of Dependent Children. In response to a 1904 Congressional report about the number and circumstances of institutionalized and dependent children in Washington, D.C., as well as publicity around the country's high infant-mortality rate, James West, a lawyer and secretary of the National Child-Rescue League, urged President Theodore Roosevelt to convene a forum to discuss the problems of orphans. Raised in an orphanage himself, West was a powerful advocate; he succeeded in enlisting Roosevelt's attention to the issue. At the time, there were some 93,000 children living in institutions, and another 50,000 in foster care. More than 200 child-welfare advocates attended the conference.

While the conference invitation and proceedings utilized Nineteenth Century language around child saving, the discussions and recommendations demonstrated a shift to Twentieth Century policies of family preservation. Attendees declared that children must be kept with their natural families whenever possible:

Home life is the highest and finest product of civilization. It is the greatest molding force of mind and character. Children should not be deprived of it except for urgent and compelling reasons. Children of parents of worthy character, suffering from temporary misfortune and children of reasonably efficient and deserving mothers who are without the support of the normal breadwinner should, as a rule, be kept with their parents, such aid being given as may be necessary to maintain suitable homes for the rearing of the children.... Except in unusual circumstances, the home should not be broken up, for reasons of poverty, but only for considerations of inefficiency or immorality. (Conference proceedings, as cited in Skocpol, 1992, p. 425)

The conference recognized government responsibility for child welfare, and stipulated that child-welfare work must focus on the family as a whole, rather than rescuing the needy child. As Carp states,

In the effort to prevent Brace's reckless child-placing policies, child welfare experts and social workers went to the other extreme and stressed the cultural primacy of the blood bond in family kinship. While they extolled the family as superior to institutionalization, the 'family' they now meant was the child's *biological parents*, the family of origin. (1998b, p. 131)

Rather than split up families, child-welfare reformers worked to prevent the causes of these breakups. Resulting reforms included establishment of the U.S. Children's Bureau in 1912, creation of juvenile courts, and enactment of Mothers' pensions. One of Roosevelt's reasons for calling the conference was to garner support for creation of a federal Children's

Bureau. The conference brought national attention to legislation already pending in Congress. After a great deal of politicking, the bill creating the Children's Bureau finally passed in April 1912.

Julia Lathrop, a social worker, was named the Bureau's first chief. Lathrop's father was a former Republican Congressman and her mother a women's suffrage advocate. She worked at Hull House with Jane Addams for 20 years, but was mostly unknown outside of Illinois. According to Lindenmeyer, establishment of the Children's Bureau meant that: "the effort to protect 'a right to childhood' was now elevated from sentimentalized local charity work to national policy, studied by trained professionals, many of whom happened to be female, utilizing the most modern scientific techniques" (1997, p. 29). While its initial focus was on helping children to remain at home, the Children's Bureau later became the leading institution for providing information about adoption.

Lathrop endorsed Mothers' Pensions even before coming to the Children's Bureau. These pensions were designed to cover at least some of the costs of raising children, helping widows maintain their children in their own homes. As Linda Gordon states, "Mothers' Aid was a kind of child custody reform for the poor" (1994, p. 39). The pensions also "reinforced the bureau's narrow definition of the proper roles for women and men within the family" (Lindenmeyer, 1997, p. 155). Women were to take care of children and the home, while men went out to earn a living.

Enacted in many states in the 1910s, these pensions were, in the end, severely underfunded. While the intent was to enable "worthy" mothers to devote themselves to homemaking, pension amounts were "nowhere near enough to support full-time motherhood, even in frugal homes" (Skocpol, 1992, p. 476). Gordon contends that this inadequacy resulted from the social-control strategies of the middle-class women who fought for Mothers' Pensions. The program was designed to distinguish between worthy mothers who could provide a suitable home environment for their children, and those who did not offer enough discipline to their children.

In any case, social workers were set up as the adjudicators of these distinctions. As caseworkers, they determined

worthiness for receipt of these public benefits. Social work became professionalized during the Progressive Era. White, middle-class, college-educated women populated the field, which focused both on individual casework and larger social reform. At this time, professional social workers were proud to rarely recommend children for adoption, believing that unwed mothers should not be separated from their children. However, when it was absolutely necessary as a last resort, they denounced unregulated adoption, campaigning for state licensing and supervision of child-placing agencies.

As a result of this lobbying, the 1917 Children's Code of Minnesota was passed. This law, which became the model for state regulations over the next two decades, required an investigation of potential adoptive parents to determine the suitability of their home for a child. In addition, the code provided for six-month probationary periods in which the child lived with the adopting parents before the adoption became final, and most portentously, called for the sealing of all adoption records. Those directly involved, including birthparents, adoptees, and adoptive parents, could, however, access the record.

During this period adoption was, however, quite uncommon. Efforts to define kinship as based upon blood ties stigmatized adoption as unnatural. As social workers considered it only as a last resort, they also had to counter prejudice to convince potential adopters that doing so was not abnormal. These stereotypes were confounded by the rise of the eugenics movement after 1910. Adopted children were said to have inherited 'mental defects' from their birthparents. Unmarried mothers were said to have a hereditary tendency toward 'feeble-mindedness' which was passed to their children. As Carp states:

The purported link between feeble-minded unwed mothers and their illegitimate children cast a pall over all adoptions, and even popular magazines warned adoptive parents against the risk of 'bad heredity.' Adopted children were thus doubly burdened: they were assumed to be illegitimate and thus tainted medically, and they were adopted and consequently lacked the all-important blood link to their adoptive parents. (2002, p. 9)

Simultaneously, of those adoptions that did take place, most occurred privately. Doctors and lawyers facilitated independent adoptions, birthparents advertised in newspapers, and commercial maternity homes and baby farms sold infants to childless couples. A 1917 study for Chicago's Juvenile Protective Association found "a regular commercialized business of child placing being carried out in the city of Chicago" (Berebitsky 1998, p. 134). The reforms begun during the Progressive Era later ensured the closing of this market, bringing adoption more fully into the legal domain.

World War II Through the 1950s

With the decline of the eugenics movement in the 1920s and 1930s, as well as demographic changes that led to increases in the numbers of adoptable children, some of the groundwork laid during the Progressive Era came to fruition in the form of a regulated adoption process. Adoption increased dramatically during this period, tripling between 1937 and 1945, and then doubling again by 1955. For the first time, adopted children outnumbered institutionalized youth.

The reasons for this shift were twofold. First, illegitimate births increased significantly during the period, from some 130,000 children in 1948 to over 200,000 in 1958. As Carp states: "With social bonds loosened by wartime, illegitimacy rates began to soar, especially among nonwhites, continuing their upward flight for the next forty years" (2002, p. 12). At the same time, the demand for children to adopt grew as a result of the baby boom's rising marriage rates. During and after the war, parenthood was hailed as a patriotic duty. Childless couples were shunned, and record numbers sought adoption; "adoption agencies were inundated with requests for children" (Carp, 2002, p. 13). New medical treatments also enabled doctors to diagnose infertility earlier, leading couples seeking children to move on to adoption. Wartime prosperity also contributed to this trend of increased interest in adoption. Benet concludes: "The post-war increase in the popularity of adoption came about because it solved a particular social problem: the rise in white middle-class illegitimacy during the 'permissive society' of the 1950s..." (1976, p. 16).

This growth led to many changes in adoption practice. Social workers continued gaining domain over the process. They worked to make adoption more acceptable by matching adoptive parents and adoptees according to physical, ethnic, racial, religious, and intellectual characteristics, creating adoptive families that resembled biological ones. As Gill theorizes:

Excess demand for young children gave adoption agencies a new opportunity ... to be selective in the choice of adoptive parents. Selectivity was consistent with the interests of agency workers, who hoped to raise their professional status by demonstrating particular expertise in the creation of adoptive families. (2002, p. 161)

As the demand for children was high, adoption workers were able to select the 'best' possible parent matches for adoptees. The best parents were those who appeared most 'normal'; "accepted couples were remarkably similar everywhere" (Gill, 2002, p. 173).

Typical adoptive parents were white, married (for the first time), in their mid-thirties, infertile for a physical reason, active in their church, close to their families, psychologically well adjusted, and consisted of mothers who planned to stay home with the child and parents who shared the adoptee's religion. These agencies and their social workers were involved in actively shaping families according to the ideal norm of the day. This work encompassed "perhaps the most ambitious program of social engineering (in its perfectionism, if not its scale) seen in twentieth-century America" (Gill, 2002, p. 162).

This program also consisted of solidification of earlier efforts by professionals to maintain secrecy in the adoption process (Carp, 1992, 1994, 1995). Reasons for this move varied from desires to protect the process, maintain the privacy of single mothers, and to continue the expansion and professionalization of social work. An additional reason involved the advent of psychoanalytic theory. Freud's Oedipus complex was cited as justification for denying birthmothers access to case records, for example. In early psychoanalytic theory, these mothers were depicted as ranging from neurotic to psychotic; they

became pregnant in order to escape into fantasy life. In order to protect their children, records that had, until this time, been confidential, were now made secret. Carp states, "the result was that after World War II secrecy became pervasive, preventing everyone directly involved in adoption from gaining access to family information about their own lives" (1998a, p. 102).

Other shifts that occurred during this period involved the composition of these new families. Birthparents gave their children up at earlier ages and adoptive parents began to express preferences for newborns. The proportion of adoptive parents who preferred newborns more than doubled between the 1930s and 1940s; by 1951, 70 percent of adoptees were under age one. Birthparents were also better educated and employed, while at the same time more likely to be single mothers. Rather than for reasons of poverty, like their predecessors in and before the Progressive Era, these women relinquished their children to avoid the stigma of illegitimacy. From their review of case records of the Children's Home Society of Washington from 1895 to 1973, Carp and Guerrero conclude: "the turning point in the ... adoptive parents' preferences and, by extension, the complete sentimentalization of adoption occurred not in the first quarter of the twentieth century but in the 1940s and 1950s" (2002, p. 210).

As a result of controversy about adoption practices, due to the increased demand and resulting selectivity of adoptive parents, the Child Welfare League of America (CWLA) held the first national adoption conferences in the late 1940s and early 1950s. These forums discovered that implementation was changing at the local level as a result of pressure from prospective adopters as well as postwar humanitarian sentiment and demographic shifts that included blacks moving north. These trends resulted in expanding the conception of the 'adoptable' child. While previous eras in which the numbers of adoptions were limited focused on finding 'perfect' children for parents, this period broadened that notion. Adoptable children included: "any child ... who needs a family and who can develop in it, and for whom a family can be found that can accept the child with its physical or mental capacities" (CWLA report, as cited in Carp, 2002, p. 14).

As such, social workers began to place disabled and minority

children for the first time. In 1939, the New York State Charities Aid Association began working with African American children, placing approximately 20 children each year during the war. These placements, soon taken on by adoption agencies in many parts of the country, occurred prior to *Brown v. Board of Education* (1954), and more than ten years before the civil rights movement took hold.

In addition, at this time Americans slowly began adopting children from other countries. On a small scale, Americans adopted orphaned European children at the end of World War II. Beginning as a humanitarian response to the thousands of children orphaned by the war, American families adopted youth from Germany, Greece, and Japan. This initial phase of intercountry adoption lasted about five years, from 1948 to 1953, and resulted in creation of several thousand interracial/interethnic families. The second phase began after the Korean War, in 1953. In this phase, "for the first time in history, relatively large numbers of Western couples ... were adopting children who were racially and culturally different from themselves" (Altstein and Simon, 1990, p. 3). This growth, along with the resulting expanded conception of the American family, continued throughout the rest of the century.

The 1970s to the 1990s

While the intercountry adoption movement continued to expand, domestic adoption reached its peak in 1970. However, the 1970s and the following decades overall were a time of decreasing adoptions, social action, and subsequent policy change.

The demographics of adoption changed substantially during this period. After 1970, the numbers of white American infants available for adoption began to decline quickly. One of the reasons for this shift was approval of the birth control pill in 1960, providing future of generations of women increased freedom from unplanned pregnancy. As Linda Gordon states, this was a revolutionary medical development: "The Pill did not so much change women's lives as enable them to make changes they longed for. Their sex was more free, their educational plans more achievable, their wage-earning more stable,

their domestic labor reduced" (2002, p. 288). The sexual revolution and the women's rights movement of the 1960s also made single motherhood more acceptable. Women who, in the culture of the 1950s that stigmatized illegitimacy, would have relinquished their children for adoption, chose to raise them on their own.

These changes were reinforced by the legalization of abortion in 1973. Women who did not want to keep their children now had another legal, somewhat accessible alternative to adoption. Gender roles were changing, women were joining the workforce in record numbers, mothers were working, and marriage rates and family sizes were declining. Feminists advocated for reproductive rights because, as Luker puts it, "Women wanted control over their own bodies, they wanted control over the number and, more important, the timing of their births because an untimely or unintended birth ... could have dramatic consequences for their lives" (1984, p. 125).

This recognition of the impact of motherhood, along with the freedom and activism of the 1960s led to the open adoption movement. Adoptees began searching for their roots and questioning the sealing of adoption records. This activism actually began in the 1950s. Jean Paton, a twice-adopted social worker searched for and finally found her birthmother at age 47. She began a campaign to provide other adoptees with access to their histories, stating: "in the soul of every orphan is an eternal flame of hope for reunion and reconciliation with those he has lost through private or public disaster" (as cited in Sorosky, Baran, and Panor, 1989, p. 39).

After 20 years of searching for and finally finding her birthmother, Florence Fisher picked up this crusade by founding the Adoptees' Liberty Movement Association (ALMA) in 1971. In addition to assisting adoptees to find their birth parents, the ALMA advocated to put an end to the practice of sealing adoption records and to allow access to adoptees over age 18 who want to see their records. The concept of open adoption was introduced by Sorosky, Baran, and Pannor, defined as: "an adoption in which the birth parent meets the adoptive parents, relinquishes all legal, moral, and nurturing rights to the child, but retains the right to continuing contact and knowledge of the child's whereabouts and welfare" (1989, p. 207). This type

of arrangement was meant to acknowledge the role of the birthparents, providing them the security of knowing that their child was being raised in a loving environment. Hundreds of advocacy groups were soon founded in the U.S. and other western nations. By 1978 there were enough of these agencies to merit the founding of a national umbrella organization, the American Adoption Congress.

Psychological theory played a role in this movement as well. In 1964, H. David Kirk published the first edition of *Shared fate: A theory of adoption and mental health*. Examining adoptive family relationships, Kirk theorized that families who acknowledged the differences between adoptive and birth relationships were better adjusted. Until that time, adoptive parents had tended to ignore these differences, in some cases not even telling their children that they were adopted. Adoption rights proponents argued that this deception demeaned children, treating them as possessions whose history was owned by their adoptive parents. As Sorosky, Baran, and Pannor state:

Taking a child from one set of parents and placing him/her with another set, who pretend that the child is born to them, disrupts a basic natural process. The need to be connected with one's biological and historical past is an integral part of one's identity formation. The sealed record in adoptions blocks this process. (1989, p. 219)

Allowing contact between birthparents and adoptive parents would help to heal this rift. Adoptees would develop more secure identities and birthparents would feel less conflicted about relinquishing their children to adoption.

By 1976, the movement was changing policy. In December 1976, the CWLA issued the following statement:

The principle of confidentiality is reaffirmed as a value to the natural parents, the child, and the adoptive parents. Social agencies, however, should now tell the relinquishing and adoptive parents that firm assurances of confidentiality can no longer be made because of possible changes in or interpretation of the law. Parents who relinquish their children for adoption should, however, have the right to waive their right to

privacy during the relinquishment and thereafter. Once the child becomes adult, with the consent of the parent, through legislative or judicial action, the identity of the parents can be disclosed on request of the adult who was adopted. (as cited in Sorosky, Baran, and Panor, 1989, p. 44.)

At its annual conference in 1986, the CWLA passed a resolution endorsing open adoption as long as all members of the triad agreed. And in 1988 they added a new section to their adoption standards recommending to member agencies that they offer open adoption services. The policy went so far as to state: "Adopted individuals, birth families, and adoptive families are best served by a process that is open and honest; one that supports the concept that all information, including identifying information, may be shared between birth and adoptive parents" (Carp, 1998a, p. 220). Activism resulted in changed policies. By the mid 1990s, 17 states permitted intermediaries to read adoption files, contact birthparents, and ask whether they were interested in meeting the children they relinquished. Another 19 states set up mutual-consent adoption registries, where birthparents and adoptees could register; and six states authorized release of confidential information without a registry, when both the adoptee and birthmother consent.

Another change that occurred during this period also related to the changing demographics and culture of the time. Due the sharp decline in white infants available for adoption, definitions of adoptable children continued to expand. Children with disabilities were increasingly placed, and minority youngsters were adopted in record numbers. Social workers aggressively recruited adoptive families for African American children. Transracial adoptions peaked in 1971. In response, in 1972, the National Association of Black Social Workers denounced the policy. As the organization's former president stated: "it is their [white families'] aim to raise black children with white minds" (as cited in Waldman and Caplan, 1994, p. 64.). Coming out of a time of black nationalism, they were concerned that white parents were not capable of raising black children with a sense of racial pride and culture. As a result of this controversial statement, transracial adoptions

fell 39 percent that year. These unions continued to decline sharply, and by 1991 most state and private agencies enforced same-race placement requirements.

Similar issues arose regarding Native American children, and, in 1978, Congress passed the Indian Child Welfare Act mandating attempted placement of these children in Native American homes. The act was in response to public outcry because by 1978 over 90 percent of adopted Native American children resided in white homes. A collection of essays entitled *The destruction of American Indian families* (Unger, 1977) attacked these placements as cultural and legal genocide. As with African American children, activists were concerned that these children would grow up without a sense of their heritage.

At the same time, bi-cultural families continued to increase, as a result of intercountry adoption. Because of the shortage of white American infants, adoptive parents began to turn more and more to children in other countries to complete their families. International adoption grew throughout the 1970s, doubling from under 2,500 in 1970 to over 5,000 in 1980. By 1987 the number had again doubled, to over 10,000 (Altstein and Simon, 1990, p. 14-16). Throughout this period, the majority of these adoptions took place in Korea. According to Altstein and Simon, these adoptions represented a direct response to policies opposing transracial adoption:

With opposition to transracial adoption remaining strong, and the general unavailability of infants of any color continuing, many white couples 'discovered' that healthy, usually nonwhite, foreign-born infants were available for adoption in their native countries. Not only could a family adopt a healthy infant, but the overall cost ... was often lower than the cost of a domestic one, and it usually took less time. (1990, p. 183)

Intercountry adoption was not, however, without controversy. Just as black organizations in this country viewed transracial adoption as an expression of white racism, so did many underdeveloped countries characterize international adoption as American imperialism. Particularly troubling was Operation Babylift in 1975 (Dolgin and Franco, 2002; Martin,

2000). Through this policy, more than 3,300 Amerasian children were airlifted out of Vietnam at the end of the war. Many of these children were not orphans.

Concerned that children fathered by American soldiers were in particular danger, their mothers were convinced by American social workers that they would be better off in the U.S. Coming at the end of a controversial war, many thought Operation Babylift was a desperate attempt on the part of the government to garner sympathy and improve public opinion. In a horrific tragedy, the first plane out of Vietnam crashed, killing some 140 people, most of whom were children under two years of age.

When it was discovered that many of the children had parents in Vietnam, a class action lawsuit was filed against Secretary of State Kissinger, the federal government, and the adoption agencies. The case was eventually dismissed and the few records that existed were sealed. In the end, only twelve children were reunited with their mothers. Without records, finding birthparents was virtually impossible.

Finally, in terms of American-born children, the 1970s to the 1990s were marked by attempts to increase adoption of children in foster care. In 1980, Congress passed the Adoption Assistance and Child Welfare Act, providing partial subsidies of special-needs adoptions. One of the first federal laws addressing adoption policy, it required that child-welfare agencies provide stable homes for children in long-term foster care, either by reunifying them with their birthfamilies or placing them for adoption. The federal government reimbursed states for 50 percent of the cost of any subsidy programs. This law was later followed by the Adoption and Safe Families Act of 1997, which aimed to increase adoption of waiting children. Both of these policies represented a paradigm shift from the century's earlier focus on family preservation toward a policy promoting adoption.

Contemporary Implications

Over the course of the century adoption became officially established, changing from "an elitist institution that restricted the children available to a practice that includes foreign, older,

physically and mentally disabled, and HIV-positive children" (Carp, 2002, pp. 19-20). During this time, policies shifted from informal, yet open placement, to closeted and regulated personal histories, and back to a middle ground of standardized processes that allow more openness. Adoption policy shifted in accordance with the country's mores and demographics. As limited supports were made available to poor mothers, reproductive controls more obtainable, and single parenting more socially acceptable, relinquishing children became more uncommon. Consequently, adoptive parents sought out more types of children—older, nonwhite, nonAmerican, and with special needs. The results of these trends can be seen in current policy.

A recent threat to poverty supports came in the form of Newt Gingrich's call for a return to orphanages. Upon assuming the role of Speaker of the House of Representatives in 1995, Gingrich suggested placing children of teen mothers in orphanages if they could not support their children. Under welfare reform, the children of poor single mothers who cannot afford to raise them should be institutionalized. The public responded with horror, yet, ultimately, welfare reform *will* force some mothers to place their children for adoption. While this conversation was dismissed relatively quickly, it indicates the centrality of the issue of adoption to questions of family and poverty. Adoption policy is critically important to current and future issues of family, race, class, and child welfare. Studies of the history of adoption must be promulgated in order to ensure that we do not make policy based upon a lack of understanding of the past. For example, Gingrich assumed that orphanages would be cheaper than welfare payments; in fact, Mothers' Pensions were enacted as cost saving measures with the opposite goal. Research could help to determine whether either implementation would save money.

Adoption policy is changing with technology. Recent infertility treatment options include embryo adoption. This technology entails the potential growth of an embryo resulting from another couple's egg and sperm, in the patient's uterus. This form of adoption would, most likely though not necessarily, be completely closed as the '(birth)parents' might not even be aware of the child's existence. Yet, the ethical and policy

implications of these sorts of treatments need to be considered, particularly in light of this country's history of secrecy and disclosure (Glazer, 2001).

While technological advancements in the area of infertility treatments may lead to reductions in the number of adoptions, the potential repeal of abortion rights could have the opposite effect. Without the option of abortion, many more (white) American infants could become available for adoption, thus shifting the demographics of adoptive families, as well as the 'market' for adoptable babies, increasing the 'supply' during a period of decreasing 'demand'.

Finally, adoption issues can never be separated from class, income, and race. In most cases, people who can afford to do so spend exorbitant sums of money to adopt children whose parents do not have enough money to raise them. As one analyst states, "official data are unhelpful, but the broad outlines are clear enough. Poor countries export children to rich ones, black parents to white, poor parents to better off" (Pascall, 1984, p. 16). In studying adoption policy, we must look at these broader issues. Ideally, we should be working toward creation of a system that enables homes for all children in which their material and emotional needs are met. Achieving this end involves not only creation of a just and affordable adoption system, but more importantly, development of policies that provide families with the supports necessary to care for their dependents.

References

- Adamec, C. and Pierce, W. L. (2000). *The encyclopedia of adoption*. New York: Facts on File, Inc.
- Altstein, H. and Simon, R. J. (Eds.). (1990). *Intercountry adoption: A multinational perspective*. New York: Praeger.
- Ashby, L. (1997). *Endangered children: Dependency, neglect, and abuse in American history*. New York: Twayne Publishers.
- Bean, P. (Ed.). (1984). *Adoption: Essays in social policy, law, and sociology*. London: Tavistock Publications.
- Benet, M. K. (1976). *The politics of adoption*. New York: Free Press.

- Berebitsky, J. (2002). Rescue a child and save the nation: The social construction of adoption in the delineator, 1907-1911. In E.W. Carp (Ed.), *Adoption in America: Historical perspectives* (pp. 124-139). Ann Arbor, MI: University of Michigan Press.
- Carp, E. W. (1992). The sealed adoption records controversy in historical perspective. *Journal of Sociology and Social Welfare*, 19(2), 27-57.
- Carp, E. W. (1994). Professional social workers, adoption, and the problem of illegitimacy, 1915-1945. *Journal of Policy History*, 6(3), 161-184.
- Carp, E. W. (1995). Adoption and Disclosure of Family Information. *Child Welfare*, 74(1), 217-240.
- Carp, E. W. (1998a). *Family matters: Secrecy and disclosure in the history of adoption*. Cambridge, MA: Harvard University Press.
- Carp, E. W. (1998b). Orphanages vs. adoption: The triumph of biological kinship, 1800-1933. In D. Critchlow and C. H. Parker (Eds.), *With us always: A history of private charity and public welfare* (pp. 123-144). Lanham, MD: Rowman and Littlefield.
- Carp, E. W. (Ed.). (2002). *Adoption in America: Historical perspectives*. Ann Arbor, MI: University of Michigan Press.
- Carp, E. W. and Guerrero, A. L. (2002). World War II as a watershed in the history of adoption. In E.W. Carp (Ed.), *Adoption in America: Historical perspectives* (pp. 181-217). Ann Arbor, MI: University of Michigan Press.
- Dolgin, G. and Franco, V. (Directors). (2002). *Daughter from Danang* [Film]. United States: PBS American Experience.
- Gill, B. P. (2002). Adoption agencies and the search for the ideal family, 1918-1965. In E.W. Carp (Ed.), *Adoption in America: Historical perspectives* (pp. 160-180). Ann Arbor, MI: University of Michigan Press.
- Glazer, E. (2001). *Embryo Adoption: In the Best Interests of the Embryos?* Retrieved February 18, 2005, from <http://www.gis.net/~eglazer/embryo.html>.
- Gordon, L. (1994). *Pitied but not entitled: Single mothers and the history of welfare, 1890-1935*. Cambridge, MA: Harvard University Press.
- Gordon, L. (1999). *The great Arizona orphan abduction*. Cambridge, MA: Harvard University Press.
- Gordon, L. (2002). *The Moral Property of Women: A History of Birth Control Politics*. Urbana, IL: University of Illinois Press.
- Kirk, H. D. (1964). *Shared fate: A theory of adoption and mental health*. Glencoe, IL: Free Press.
- Lindenmeyer, K. (1997). *A right to childhood: The U.S. Children's Bureau and child welfare, 1912-1946*. Urbana, IL: University of Illinois Press.
- Luker, K. (1984). *Abortion and the Politics of Motherhood*. Berkely, CA: University of California Press.

- Martin, A. (2000, March). The legacy of Operation Babylift. *Adoption Today*, 2 (4). Retrieved December 26, 2004, from <http://www.adoptvietnam.org/adoption/babylift.htm>.
- Marshner, Connaught, ed. *Adoption Factbook III*. Washington, D.C.: National Council for Adoption, 1999.
- Modell, J. S. (1994). *Kinship with strangers: Adoption and interpretations of kinship in American culture*. Berkeley, CA: University of California Press.
- Moe, Barbara. (1998). *Adoption: A reference handbook*. Santa Barbara, CA: ABC-CLIO, Inc.
- Pascall, G. (1984). Adoption: Perspectives in social policy. In P. Bean (Ed.), *Adoption: Essays in social policy, law, and sociology* (pp. 9-23). London: Tavistock Publications.
- Pertman, A. (2000). *Adoption nation: How the adoption revolution is transforming America*. New York: Basic Books.
- Pfeffer, P. F. (2002). A historical comparison of Catholic and Jewish adoption practices in Chicago, 1833-1933. In E.W. Carp (Ed.), *Adoption in America: Historical perspectives* (pp. 101-123). Ann Arbor, MI: University of Michigan Press.
- Skocpol, T. (1992). *Protecting soldiers and mothers*. Cambridge, MA.: Belknap Press of Harvard University Press.
- Sorosky, A., Baran, A., and Panor, R. (1989). *The adoption triangle: Sealed or open records: how they affect adoptees, birth parents, and adoptive parents*. San Antonio, TX: Corona Publishing.
- Stolley, K. S. (1993). Statistics on adoption in the United States. *The Future of Children*, 3(1), 483-92.
- Unger, S. (1977). *The destruction of American Indian families*. New York: Association on American Indian Affairs.
- Waldman, S. and Caplan, L. (1994, March 21). The politics of adoption: If adoption can cure a variety of social ills and make children happy, why isn't there more of it? *Newsweek*, 123(12), 64-65.